

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHERYL ZONDLO,  
Plaintiff,

v.

ALLIED INTERSTATE, LLC.,  
Defendant.

CIVIL ACTION

NO.

**NOTICE OF REMOVAL**

Defendant, Allied Interstate, LLC. (hereinafter, "ALLIED"), by counsel, hereby removes the above-captioned civil action, and all claims and causes of actions therein, from the Court of Common Pleas Luzerne County, Pennsylvania to the United States District Court for the Middle District of Pennsylvania pursuant to 28 U.S.C. §§ 1331, 1441 and 1446. In support thereof, Allied states as follows:

1. On or about April 19, 2016, Plaintiffs commenced the underlying state court action captioned Cheryl Zondlo v. Allied Interstate, LLC (Case No. 201604177) (the "State Court Action"), in the Court of Common Pleas for Luzerne County by filing a Complaint. Pursuant to 28 U.S.C. § 1446(a), a true

and correct copy of the Summons and Complaint from the State Court Action are attached hereto as Exhibit "1."

2. ALLIED was purportedly served with the Summons and Complaint by certified mail on its registered agent on April 26, 2016, postmarked on April 20, 2016.

3. This Notice of Removal is timely filed within thirty (30) days after service of the Summons and Complaint. See 28 U.S.C. § 1446(b).

4. The Complaint purports to assert an alleged violation of the Telephone Consumer Protection Act, 47 U.S.C. 227, et seq. (the "TCPA") (Compl. at ¶ 1.)

5. Accordingly, this Court has subject matter jurisdiction over the State Court Action pursuant to 28 U.S.C. § 1331, because it includes claims arising under the laws of United States, namely, the TCPA.

6. Pursuant to 28 U.S.C. § 1446(d), a copy of the filing of this Notice of Removal will be promptly filed with the Prothonotary for the Court of Common Pleas, Lackawanna County and served upon Plaintiff. A copy of the Notice of Filing of Notice of Removal (without exhibits) is attached as Exhibit "2."

7. In filing this Notice of Removal, ALLIED reserves any and all defenses, objections, and exceptions, including without limitation those relating to jurisdiction, service, venue, and statutes of limitation.

WHEREFORE, the State Court Action is removed from the Court of Common Pleas, Luzerne County to the United States District Court for Middle District of Pennsylvania.

Respectfully submitted,

/s/ Christine M. Debevec

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*Counsel for Defendant,  
Allied Interstate, LLC*

**CERTIFICATE OF SERVICE**

I, hereby certify that on May 19, 2016 I filed the foregoing Notice of Removal with the Clerk of the Court using the CM/ECF system, and served a copy of the same by first-class mail, postage pre-paid on:

Brett Freeman, Esquire  
216 N. Blakely Street  
Dunmore, PA 18512

*Counsel for Plaintiffs*

/s/ Christine M. Debevec  
Christine M. Debevec